

Whereas the University of Michigan does not have racial quotas for admission, and instead uses many factors to select students, including race, social and economic background, geographic origin, athletic ability, and a relationship to alumni, as well as test scores, grades, and essay scores;

Whereas all of those factors help the University of Michigan select a diverse well-rounded student body that is not just racially diverse, but economically and geographically diverse; and

Whereas the University of Michigan's admissions policy so far has been upheld as constitutional by the United States Court of Appeals for the Sixth Circuit, in the case of *Gutter v. Bollinger*, 288 F.3d 732 (6th Cir. 2002); Now, therefore, be it

*Resolved*, that the Senate—

(1) strongly supports the decision of the United States Court of Appeals for the Sixth Circuit, in the case of *Gutter v. Bollinger*; and

(2) authorizes and instructs the Senate Legal Counsel to appear as *amicus curiae* in that case, in the name of the Senate, to defend the constitutionality of the University of Michigan's admissions policy to ensure a diverse student body.

#### AMENDMENTS SUBMITTED & PROPOSED

SA 4. Mr. LUGAR submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; which was ordered to lie on the table.

SA 5. Mrs. CLINTON submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 6. Mr. COLEMAN (for himself and Mr. DAYTON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 7. Mr. GRAHAM, of Florida (for himself, Mr. NELSON, of Florida, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 8. Mr. BYRD (for himself and Mr. ROCKEFELLER) proposed an amendment to the joint resolution H.J. Res. 2, supra.

SA 9. Mr. KERRY (for himself, Mr. KENNEDY, Mr. SCHUMER, and Mrs. CLINTON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 10. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 11. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 12. Mr. NELSON, of Florida submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 13. Mr. KENNEDY (for himself, Mr. DASCHLE, Mr. DODD, Mr. REED, Mr. BINGAMAN, Mrs. MURRAY, Mrs. CLINTON, Ms. MIKULSKI, Mr. JEFFORDS, Mr. SCHUMER, Mr. LAUTENBERG, Mr. SARBANES, Mr. JOHNSON, and Mr. KOHL) proposed an amendment to the joint resolution H.J. Res. 2, supra.

SA 14. Mr. GRAHAM, of Florida (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 15. Mr. GRAHAM, of Florida (for himself and Mr. NELSON, of Florida) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 16. Mr. KENNEDY submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 17. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 18. Mr. LAUTENBERG submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 19. Mr. GREGG proposed an amendment to the joint resolution H.J. Res. 2, supra.

SA 20. Ms. SNOWE submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 21. Ms. SNOWE submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 22. Mr. MCCAIN submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 23. Mr. GRASSLEY (for himself and Mr. BAUCUS) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 24. Mr. DAYTON submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 25. Mr. DAYTON submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 26. Mr. LOTT submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 27. Mr. REED (for himself, Ms. COLLINS, Mr. DAYTON, Mr. JEFFORDS, Mr. DEWINE, Mr. KENNEDY, Mr. SARBANES, Ms. CANTWELL, Ms. STABENOW, Mrs. CLINTON, Mr. DODD, Mr. KERRY, Mr. LEVIN, Mr. CORZINE, Mr. LEAHY, Mr. DURBIN, and Ms. SNOWE) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 28. Mr. KENNEDY submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 29. Mr. KENNEDY submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 30. Mrs. MURRAY (for herself, Mrs. HUTCHISON, Mr. BYRD, Ms. SNOWE, Mr. HOLLINGS, Mr. CHAFEE, Mr. BIDEN, Mr. SPECTER, Mr. LEAHY, Mr. CARPER, Mr. LAUTENBERG, Mr. CORZINE, Mr. KERRY, Mr. ROCKEFELLER, Mr. DODD, Mrs. CLINTON, Mr. REID, Mr. JEFFORDS, Ms. COLLINS, and Mr. DURBIN) proposed an amendment to the joint resolution H.J. Res. 2, supra.

SA 31. Mr. SCHUMER submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra.

SA 32. Mr. HARKIN (for himself, Mrs. FEINSTEIN, Mr. LEAHY, Mr. BIDEN, Mr. KOHL, Mr. JOHNSON, Mr. NELSON, of Florida, Mr. ROCKEFELLER, Mr. AKAKA, Mr. JEFFORDS, Mrs. MURRAY, and Mr. LAUTENBERG) proposed an amendment to the joint resolution H.J. Res. 2, supra.

SA 33. Mr. CRAIG (for himself, Mr. DORGAN, Mr. CRAPO, Mrs. MURRAY, Mr. JOHNSON, Mr. CONRAD, and Mr. ALLARD) submitted an amendment intended to be proposed by him

to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

SA 34. Mr. CRAIG (for himself, Mr. BURNS, Mrs. MURRAY, Mr. SMITH, Mr. CRAPO, Mr. BAUCUS, Ms. CANTWELL, and Mr. WYDEN) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, supra; which was ordered to lie on the table.

#### TEXT OF AMENDMENTS

SA 4. Mr. LUGAR submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

SEC. \_\_\_\_\_. Of the amount appropriated by this title for Atomic Energy Defense Activities for Defense Nuclear Nonproliferation, \$8,000,000 shall be available to the Secretary of Energy to carry out a program to encourage graduate students in the United States, and in the Russian Federation, to pursue careers in areas relating to nonproliferation.

SA 5. Mrs. CLINTON submitted an amendment intended to be proposed by her to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

#### SEC. \_\_\_\_\_. HEALTH EXAMINATIONS OF EMERGENCY SERVICES PERSONNEL.

From amounts previously appropriated in chapter 13 of title I of Public Law 107-206 (116 Stat. 894) to the Federal Emergency Management Agency to respond to the September 11, 2001, terrorist attacks on the United States, not less than \$90,000,000 shall be made available, until expended, for baseline and follow-up screening and clinical examinations and long-term health monitoring and analysis for emergency services personnel and rescue and recovery personnel, of which not less than \$25,000,000 shall be made available for such services for current and retired firefighters.

SA 6. Mr. COLEMAN (for himself and Mr. DAYTON) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; which was ordered to lie on the table; as follows:

On page 928, line 24, strike "\$3,000,000" and insert in lieu thereof "\$10,000,000".

SA 7. Mr. GRAHAM of Florida (for himself, Mr. NELSON of Florida, and Mr. VOINOVICH) submitted an amendment intended to be proposed by him to the joint resolution H.J. Res. 2, making further continuing appropriations for the fiscal year 2003, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place insert:

Notwithstanding any other provision of law, the Corps of Engineers, using funds made available by this Act and funds made available under any Act enacted before the